



RCE 12876

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Request for Continued Examination (RCE) Transmittal

Address to:
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

<i>Application Number</i>	09/763,523
<i>Filing Date</i>	February 23, 2001
<i>First Named Inventor</i>	Jiro Nagaoka et al.
<i>Art Unit</i>	2876
<i>Examiner Name</i>	A. A. Nowlin
<i>Attorney Docket Number</i>	01-162

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
- ii. Other _____

b. Enclosed

i. <input type="checkbox"/> Amendment/Reply	iii. <input type="checkbox"/> Information Disclosure Statement (IDS)
ii. <input type="checkbox"/> Affidavit(s)/ Declaration(s)	iv. <input checked="" type="checkbox"/> Other <u>Preliminary Amendment</u>

2. **Miscellaneous**

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of 3 months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-0184

i. <input type="checkbox"/> RCE fee required under 37 CFR 1.17(e)	06/07/2004 MAHMED1 00000004 09763523
ii. <input type="checkbox"/> Extension of time fee (37 CFR 1.136 and 1.17)	01 FC:1801 770.00 OP
iii. <input checked="" type="checkbox"/> Other <u>any additional fees</u>	06/07/2004 MAHMED1 00000004 09763523
b. <input checked="" type="checkbox"/> Check in the amount of \$ <u>900.00</u>	02 FC:1460 <u>enclosed</u> 130.00 OP
c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Gregory P. DaPointe	Registration No. (Attorney/Agent)	128,395
Signature	Date June 2, 2004		

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Lori J. Larson	Date	June 2, 2004
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jiro Nagaoka et al. Confirmation No.: 8623

Serial No. : 09/763,523

Filed : February 23, 2001

TC/A.U. : 2876

Examiner : A. A. Nowlin

Docket No. : 01-162

Customer No.: 34704

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

PRELIMINARY AMENDMENT

Dear Sir:

Please amend the above-identified application as follows.

Amendments to the Claims are reflected in the listing of claims which begins on Page 2 of this paper.

Remarks/Arguments begin on Page 7 of this paper.